

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
JEFFERSON COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF GOTTFRIED KAMPFER) ORDER

The Water Resources Department (Department) received an affidavit from the owner of lands stating they have abandoned a portion of the water right appurtenant to their land and requests the cancellation of the certificate. Whenever the owner of a perfected and developed water right abandons the right, an order canceling the right shall be entered. The Water Resources Director has reviewed the affidavit and makes the following disposition of the request:

STATEMENT OF FACTS

The Department received an affidavit from Portland General Electric (PGE). The affidavit states they are the owners of the land and the water right as evidenced by a portion of Certificate 2242.

The affidavit further states, the portion of Water Right Certificate Number 2242, appurtenant to 25.35 acres of land has not been irrigated for a period of five or more years during the past fifteen years, and would therefore be subject to forfeiture and cancellation.

CONCLUSIONS OF LAW

Whenever the owner of a perfected and developed water right certifies under an oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the Commission shall enter an order canceling the water right (ORS 540.621).

ORDER

IT IS ORDERED that the right described by Certificate 2242, allowing for the use of water from Trout Creek with a priority of 1887, for 10.05 acres; 1899 for 3.6 acres; 1904 for 2.0 acres; 1907 for 1.5 acres; and 1903 for 8.2 acres within Sections 10, 11, 13 and 14, Township 9 South, Range 14 East, WM, State Record of Water Right Certificates is canceled and a new certificate of water right describing that portion of the water right not canceled by the provisions of this order be issued.

Dated July 16, 2003.



Paul R. Cleary, Director

Special Order Volume 57, Page 1008.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.